

STATE OF COLORADO

COLORADO DEPARTMENT OF HEALTH

Dedicated to protecting and improving the health and environment of the people of Colorado

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Ray Rader
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February 18, 1994

Mr. Richard J. Schassburger
U.S. Department of Energy
Rocky Flats Plant
Building 116
P. O. Box 928
Golden, Colorado 80402-0928

RE: Building 788 Activities, Denial for Separate IM/IRA

Dear Mr. Schassburger,

The Colorado Department of Health, Hazardous Materials and Waste Management Division ("the Division") and the U. S. Environmental Protection Agency ("EPA") have reviewed DOE's letter of February 11, 1994. Your request for a separate IM/IRA for Building 788 activities which includes the closure of RCRA Units 21 and 48 and the cleanup, disassembly, and relocation of Building 788 ("the B788 activities") is hereby denied.

You are also advised that the B788 activities remain a necessary prerequisite to the construction of an engineered cover within OU-4. Inclusion of B788 activities within the original IM/IRA was clearly intended to eliminate the building as an obstacle to the impending OU-4 action (See Attachment 3.3 of the OU-4 dispute resolution agreement, dated September 30, 1993). Consequently, B788 activities must remain a component of the OU-4 IM/IRA.

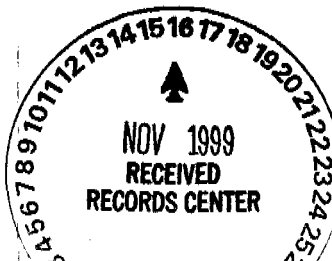
Although the construction start date for OU-4 is scheduled for September 27, 1995, DOE may legally commence Building 788 activities ten days after Division and EPA approval of the Final IM/IRA Decision Document. Delivery of the final document is scheduled for January 13, 1995 and approval should occur within the first quarter of CY 1995. Therefore, DOE, in consultation with the Division and EPA, must provide a schedule for the timely completion of B788 activities within the "Draft IM/IRA Decision Document" scheduled for delivery on April 14, 1994. (Start of B788 activities will not be deemed start of construction for the OU-4 closure action.)

The Draft IM/IRA Decision Document (IM/IRA DD) is a primary IAG deliverable. Failure to submit viable schedules within the IM/IRA DD will be considered a failure to submit an adequate primary document and will subject DOE to stipulated penalties as provided in Part 19 of the IAG.

Our letter of January 27, 1994 required DOE to substantiate the need for a separate IM/IRA document by February 4, 1994. Your reply of February 4th failed to provide the necessary information. Despite being granted a verbal extension to February 8th, DOE again failed to provide

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